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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,190	02/13/2004	Ronald R. Lawson		2189

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EXAMINER

HUANG, WEN WU

ART UNIT PAPER NUMBER

2618

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/708,190

Applicant(s)

LAWSON, RONALD R.

Examiner

Wen W. Huang

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☒ Claim(s) 2-9, 11-15 and 17-21 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

Claims 2-9, 11-15 and 17-21 are objected to because of the following informalities:

The Examiner submits that claims 1-21 are independent claims as claimed by the Applicant. Therefore, each of the claims 1-21 is considered and examined independently.

Regarding claims 2-9, 11-15 and 17-21, each of the objected claims contains limitation lacking antecedence basis, such as "the system", "the goal", "the transmitter" and "the receiver", etc.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2618

1. Claims 1, 5, 6, 9, 10, 12, 13, 16, 18 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Chaco (US. 7,034,690 B2).

Regarding **claim 1**, Chaco teaches an invention which is an infant safety-monitoring system (see Chaco, col. 1, lines 53-54) using radio frequency (see Chaco, col. 2, lines 11-13) that monitors and warns of an excessive range between a transmitter and matched receiver (see Chaco, col. 6, line 66 – col. 7, line 4).

Regarding **claim 5**, Chaco teaches a method wherein a warning alarm on the receiver sounds when outside an approximate 40 feet transmission range of the transmitter (see Chaco, col. 8, lines 49-54).

Regarding **claim 6**, Chaco teaches a method wherein the digital transmitter and receiver units are paired by using encoder and decoder chips (see Chaco, fig. 4A and 4B, components 414 and 460) with selective ID address codes (see Chaco, col. 6, lines 7-9 and 22-24).

Regarding **claim 9**, Chaco teaches a method wherein the RF receiver is held by a driver of vehicle in a small key chain size packaging (see Chaco, col. 11, line 67 – col. 12, line 3).

Regarding **claim 10**, Chaco teaches an invention which is a transmitter that is capable of transmitting two channels of digitally coded information (see Chaco, fig. 3, components 216 and 226) from 902 to 928 megahertz (MHz) (see Chaco, col. 7, lines 39-40).

Regarding **claim 12**, Chaco teaches a method wherein the transmitters on/off switch provides a data signal on channel 1 (see Chaco, fig. 3, components 214 and 216).

Regarding **claim 13**, Chaco teaches a method wherein the transmitters push to test button transmits data to receiver on channel 2 (see Chaco, fig. 3, components 224 and 226; col. 6, lines 17-20).

Regarding **claim 16**, Chaco teaches an invention is a digital radio frequency receiver that is capable of receiving digitally coded data signals from a paired transmitter operating between 902 and 928 MHz (see Chaco, fig. 3, components 216 and 226; col. 7, lines 39-40).

Regarding **claim 18**, Chaco teaches a method wherein the transmitters on/off switch provides a data signal on channel 1 of the receiver's audible alarm circuit (see Chaco, fig. 3, components 214 and 216; col. 6, lines 1-3).

Regarding **claim 19**, Chaco teaches a method wherein the transmitters push to test button transmits data to the receiver's channel 2 push to test LED circuitry (see Chaco, fig. 3, components 224, 226 and 260; col. 6, lines 17-20).

2. Claims 2-4, 7, 8, 15 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Flanagan et al. (US. 6,847,302 B2; hereinafter "Flanagan")

Regarding **claim 2**, Flanagan teaches a method wherein the system warns a driver of a vehicle that they have exceeded a safe distance from their infant in their infant vehicle safety seat (see Flanagan, col. 2, lines 47-51).

Regarding **claim 3**, Flanagan teaches a method wherein the goal is to prevent an infant from being inadvertently left unattended in a vehicle safety seat (see Flanagan, col. 2, lines 47-51).

Regarding **claim 4**, Flanagan teaches a method wherein the RF transmitter is permanently attached to the infants vehicle safety seat (see Flanagan, col. 2, lines 7-8).

Regarding **claim 7**, Flanagan teaches a method wherein both units are powered by replaceable batteries providing a minimum of 3.0 VDC to the internal circuitry (see Flanagan, col. 7, lines 57-58).

Regarding **claim 8**, Flanagan teaches a method wherein the battery power are monitored with a low battery LED warning (see Flanagan, col. 7, line 66 – col. 8, line 2).

Regarding **claim 15**, Flanagan teaches a method wherein the transmitter will be encased in a case no larger than 3.0 inches by 2.25 inches by 1.25 inches (see Flanagan, col. 6, line 6).

Regarding **claim 21**, Flanagan teaches a method wherein the receiver will be encased in a case no larger than 3.25 inches by 2.5 inches by 1.25 inches (see Flanagan, col. 6, line 6).

3. Claims 11 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Hofmeister et al. (US PUB NO. 2005/0098021 A1; hereinafter “Hofmeister”)

Regarding **claim 11**, Hofmeister teaches a method wherein the RF signal is encoded with an encoder chip hardwired to a DIP switch to set address codes (see Hofmeister, para. [0029], lines 9-12).

Regarding **claim 17**, Hofmeister teaches a method wherein the RF signal is decoded with a decoder chip hardwired to a DIP switch to set address codes (see Hofmeister, para. [0029], lines 9-12).

4. Claims 14 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Sizemore (US. 6,130,412).

Regarding **claim 14**, Sizemore teaches a method wherein the transmitter is encased in a fire retardant ABS plastic case (see Sizemore, col. 4, lines 42-47).

Regarding **claim 20**, Sizemore teaches a method wherein the receiver is encased in a fire retardant ABS plastic case (see Sizemore, col. 4, lines 42-47).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rossi (US. 5,949,340) teaches a warning system for detecting presence of a child in an infant seat.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen W. Huang whose telephone number is (571) 272-7852. The examiner can normally be reached on 10am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A. Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

wwh

W
7/23/06

Quochien B. Vuong 7/24/06

QUOCHIEN B. VUONG
PRIMARY EXAMINER